



DT05 Rec'd PCT/PTO 13 AUG 2002

Attorney's Docket No. C01005/70008 (ERG/KA)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Pykett, et al.
Serial No: 10/088,826
Filed: March 22, 2002
Conf. No. 5264
For: METHODS AND DEVICES FOR OBTAINING NON-
HEMATOPOIETIC LINEAGE CELLS FROM HEMATOPOIETIC
PROGENITOR CELLS
Examiner: Not Yet Assigned
Art Unit: Not Yet Assigned

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to: Box PCT, Commissioner for Patents, Washington, D.C. 20231, on the 8th of August, 2002.

Konstantinos Andrikopoulos
Konstantinos Andrikopoulos, Reg. No. 48,915

Box PCT
COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

TRANSMITTAL

Transmitted herewith for filing are the following documents:

- [✓] Copy of Notification of Missing Requirements Under 35 U.S.C. 371
- [✓] Response to the Notification of Missing Requirements
- [✓] Executed Declaration and Power of Attorney for all inventors
- [✓] Sequence Listing (paper copy and computer readable form)
- [✓] Sequence Statement under 37 C.F.R. §1.821(f)
- [✓] Check in the amount of \$120.00
- [✓] Information Disclosure Statement, PTO-1449, and Cited References
- [✓] Return Receipt Postcard
- [✓] Certificate of Mailing under 37 C.F.R. §1.8(a)

Applicant's representative hereby petitions for a one-month extension of time under 37 C.F.R. §1.136(a), to and including August 8, 2002, for filing a response to the Notification of Missing Requirements dated May 5, 2002.

A check in the amount of \$120.00 to cover the \$65.00 surcharge for the late filing of oath/declaration and the \$55.00 one-month extension fee, is enclosed. If any additional fee is determined to be due, the Examiner may charge the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617)720-3500, Boston, Massachusetts.

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Respectfully Submitted,

Konstantinos Andrikopoulos
Konstantinos Andrikopoulos, Reg. 48,915
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, MA 02210

C01005/70008 (ERG/KA)
Date: August 8, 2002
x08/08/02



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Konstantinos Andrikopoulos
Konstantinos Andrikopoulos, Reg. No. 48,915

Box PCT
COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

RESPONSE TO THE NOTIFICATION OF MISSING REQUIREMENTS

This is in response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated Office, mailed from the United States Patent and Trademark Office on May 8, 2002. A Petition for a One-Month Extension of Time (on Transmittal) and appropriate fee are submitted concurrently herewith.

Attached is the Declaration and Power of Attorney executed by the inventors, Drs. Mark J. Pykett, Michael Rosenzweig and Naheed Banu.

A substitute "Sequence Listing" on hard copy and on a computer readable diskette, is also submitted herewith together with the required statement under 37 C.F.R. §1.821(f).

Also attached is a check for \$120.00 which covers the \$65.00 surcharge for the late filing of oath/declaration and the \$55.00 one-month extension fee. Accordingly, Applicants believe that this document is responsive to the Notification of Missing Requirements.

If any other information is needed, please contact the undersigned by phone (617-720-3500, Ext. 286) to expedite the further prosecution of this patent application.

Respectfully Submitted,
Konstantinos Andrikopoulos
Konstantinos Andrikopoulos, Reg. 48,915
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, MA 02210

C01005/70008 (ERG/KA)
Date: August 8, 2002
x08/08/02

ERG



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

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|---|--|----------------------------------|
| U.S. APPLICATION NUMBER NO. 10/088,826 | FIRST NAMED APPLICANT Mark J Pykett | ATTY. DOCKET NO. C01005/70008 |
| INTERNATIONAL APPLICATION NO. PCT/US00/26020 | | |
| I.A. FILING DATE 09/22/2000 | | PRIORITY DATE 09/23/1999 |

AUG 13 2002
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 BOSTON, MA 02210-2211

CONFIRMATION NO. 5264

371 FORMALITIES LETTER



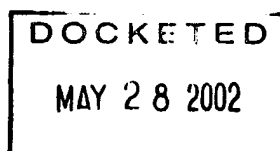
OC000000008040946

Date Mailed: 05/08/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination



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| File Folder | 76802 | Initials |
| ECB | | |
| Docket Entry | | |
| Docket Cross | | |
| Order Copies | | |
| Annuities | | |
| Confirmation | | |

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below: < ?

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
 - APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 305-3688

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/088,826 | PCT/US00/26020 | C01005/70008 |